

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

ANTHONY EID, an individual,

Plaintiff,

v.

Case No: 20-cv-11718

WAYNE STATE UNIVERSITY, WAYNE
STATE UNIVERSITY SCHOOL OF
MEDICINE, MARGIT CHADWELL,
NIKOLINA CAMAJ, MATT JACKSON,
RICHARD S. BAKER, and R. DARIN ELLIS,
in their individual and official capacities, jointly
and severally,

Hon. Gershwin A. Drain
Mag. Judge David R. Grand

Defendants.

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Defendants' *Ex Parte* Motion to Exceed Page Limit

Defendants Wayne State University, Wayne State University School of Medicine, Nikolina Camaj, Margit Chadwell, Matt Jackson, Richard S. Baker, and R. Darin Ellis, move *ex parte* under E.D.Mich. LR 7.1(d)(3)(A) for permission to file an oversized brief in support of summary judgment, the deadline for filing of which is January 31, 2022. In support they say:

1. In this lawsuit, Plaintiff Anthony Eid challenges his dismissal from Wayne State University's School of Medicine. His Amended Complaint alleges six legal claims against eight defendants, all of whom are represented by the same undersigned counsel.

2. The parties have conducted extensive discovery, including two depositions of Plaintiff, depositions of all individual defendants but one, and voluminous written discovery.

3. The deadline for filing dispositive motions is January 31, 2022. Defendants intend to file a motion for summary judgment on all claims as to all Defendants.

4. Defendants request leave to file an oversized brief to adequately address all claims against all the defendants.

5. Plaintiff's primary claim is that he was denied procedural and substantive due process. Such claims are factually intensive, requiring a full understanding of the procedures leading up to Plaintiff's dismissal and the decision-

making process itself. In Plaintiff's case, that included a preliminary interview, two hearings before multi-member committees, multiple written submissions by Plaintiff, numerous informal meetings between Plaintiff and administrators, and two appeals. Detailing that process, including a description of Plaintiff's conduct during the process that precipitated his dismissal, necessitates an unusually lengthy factual background.

6. Aside from the factually intensive nature of Plaintiff's primary claim, the sheer number of disparate claims and defendants makes it impossible to adequately address all necessary factual and legal issues within the 25-page limit. In addition to denial of procedural and substantive due process, Plaintiff also alleges gender discrimination under two separate legal sources (the Equal Protection Clause and Title IX), state-law promissory estoppel, violation of the Fair and Just Treatment Clause of the Michigan Constitution, and state-law intentional infliction of emotional distress. There is not substantial overlap between most of these claims as applied to each of the defendants, requiring separate analysis of each claim on its merits.

7. Defendants have made every effort to make their brief in support as concise as possible, but Defendants require more than 25 pages to adequately set forth the facts and apply the law to those facts. An additional 10 pages is necessary to adequately address all significant legal issues presented in this case.

8. For the sake of fairness, Defendants would not oppose granting a similar extension to Plaintiff for his response.

WHEREFORE, Defendants respectfully request that the Court grant this motion and enter an order allowing Defendants to file a brief in support of motion for summary judgment that is no longer than 35 pages.

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Dated: January 28, 2022

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Brief in Support of Defendants' *Ex Parte* Motion to Exceed Page Limit

For their brief in support of their *ex parte* motion to exceed the page limit, Defendants rely on the facts and authorities contained in their motion.

Respectfully submitted,

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Dated: January 28, 2022

CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2022, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to all ECF participants.

/s/ David Porter

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